

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

JOSE FLORES, §  
§  
Petitioner, §  
VS. § CIVIL ACTION NO. C-07-236  
§  
MARC MOORE, *et al.*, §  
§  
Respondents. §

**ORDER ADOPTING MEMORANDUM AND RECOMMENDATION  
TO GRANT RESPONDENTS' MOTION TO DISMISS**

On November 9, 2007, United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that respondents' motion to dismiss (D.E. 22) be granted and that petitioner's habeas petition (D.E. 1) be dismissed. On December 6, 2007, petitioner filed Objections to the Magistrate's Recommendations.

Having reviewed the findings of fact and conclusions of law therein, as well as the pleadings on file and petitioner's objections, and having made a *de novo* disposition of those portions of the Magistrate Judge's recommended disposition to which objections were raised, *see Koetting v. Thompson*, 995 F.2d 37 (5th Cir. 1993), 28 U.S.C. § 636(b)(1)(C); Fed.R.Civ.P.72(b), the Court hereby adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, it is ORDERED that respondents' motion to dismiss is granted and petitioner's habeas petition is dismissed.

The clerk shall enter this order and provide a copy to all parties.

SIGNED and ORDERED this 20th day of December, 2007.

  
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Janis Graham Jack  
United States District Judge